



Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number:
P.C. 11/17/03 Item: 3.g

File Number:
GP03-04-05

Council District and SNI Area:
4 – N/A

Major Thoroughfares Map Number:
51

Assessor's Parcel Number(s):
Portion of 237-03-070

Project Manager: Deanna Chow

GENERAL PLAN REPORT

2003 Fall Hearing

PROJECT DESCRIPTION:

General Plan amendment request to change the Land Use/Transportation Diagram designation from Industrial Park to Industrial Park with Mixed Industrial Overlay.

LOCATION: West side of Oakland Road, approximately 300 feet north of Schallenberger Road

ACREAGE: 15.5

APPLICANT/OWNER:

Fox Properties

GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Industrial Park

Proposed Designation: Industrial Park with Mixed Industrial Overlay

EXISTING ZONING DISTRICT(S): IP – Industrial Park

SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION(S):

North: Fairway Business Park – Industrial Park

South: Coyote Creek Riparian Corridor – Private Open Space

East: PS Business Park and Municipal Golf Course – Industrial Park with Mixed Industrial Overlay and Public Park/Open Space

West: Union Pacific Railroad and Mentor Graphics – Light Industrial

ENVIRONMENTAL REVIEW STATUS:

Mitigated Negative Declaration adopted on October 20, 2003

PLANNING STAFF RECOMMENDATION:

Industrial Park with Mixed Industrial Overlay

Approved by:

Date:

PLANNING COMMISSION RECOMMENDATION:**CITY COUNCIL ACTION:**

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

- Department of Transportation – No long-term traffic impact.
- The City of San Jose Public Works Department – The site is located in a State Liquefaction Zone.

GENERAL CORRESPONDENCE:

- None received.

ANALYSIS AND RECOMMENDATIONS:**PROJECT DESCRIPTION**

This is a privately initiated General Plan amendment to change the *San Jose 2020 General Plan* Land Use/Transportation Diagram designation from Industrial Park to Industrial Park with Mixed Industrial Overlay on a 15.5-acre site located on the west side of Oakland Road, approximately 300 feet north of Schallenberger Road.

The Industrial Park land use designation is an exclusive industrial designation intended for a wide variety of industrial uses, including research and development, manufacturing, testing and offices. Industrial uses are consistent with this designation so long as hazardous or nuisance issues can be mitigated through design controls and performance standards are met. The addition of the Mixed Industrial Overlay would not preclude industrial uses, but rather allow a broader range of uses such as compatible commercial. Examples of non-industrial uses include, but are not limited to, big box retail, churches, hotels and large gymnasiums. There is no specific development proposed at this time.

Due to the fact that this amendment request does not propose elimination of the existing Industrial Park designation, it is not considered a conversion of planned industrial land. Therefore, this application is not subject to the policy analysis involving the pending Economic Development Strategy. The proposed amendment would not preclude the future use of the site for industrial purposes.

BACKGROUND**Site and Surrounding Uses**

The amendment site is located on the west side of Oakland Road, approximately 300 feet north of Schallenberger Road. The 15.5-acre site is part of a larger 18-acre parcel bounded by Oakland Road to the east, Coyote Creek to the south, Union Pacific Railroad tracks to the west, and Fairway Business Park to the north. The 2.5-acre remainder of the parcel is not included in the amendment request as it is adjacent to Coyote Creek and designated Private Open Space to reflect and preserve the riparian corridor. The site was formerly used as a metal recycling facility, which closed in March 2000. All buildings were removed in December 2001; the site is currently vacant.

Existing surrounding land uses include Fairway Business Park to the north, PS Business Park and the Municipal Golf Course to the east, and Coyote Creek and the adjacent riparian corridor, and the Union Pacific Railroad and Mentor Graphics to the west. In 2000, the subject site and the parcels north to Brokaw Road were the subject of a General Plan amendment. Given the changing character of the general area, the site was no longer well suited for heavy industrial uses. The General Plan

amendment changed the land use designation from Heavy Industrial to Industrial Park on 27.5 acres and Private Open Space on 2.5 acres, reflecting the required riparian setback for future development.



Facing the site from Oakland Road



PS Business Park located east of the site



Aerial of the site and surrounding uses

ANALYSIS

The proposed amendment seeks to add the Mixed Industrial Overlay designation to the subject site. This designation would help facilitate a wider variety of uses, including commercial or public/quasi-public uses, or entirely industrial uses in accordance with the base designation. The addition of the overlay does not change the base designation of Industrial Park. The Mixed Industrial Overlay does not limit uses associated with Industrial Park, but rather provides greater flexibility in allowing compatible uses on the site.

Land Use Compatibility

The intent of the Mixed Industrial Overlay designation is to preserve a supply of land for industrial uses while allowing for commercial or public/quasi-public uses that would not

compromise the integrity of the industrial area. Appropriate locations for the overlay designation are areas that already contain, or are surrounded by, non-exclusive industrial areas that contain a mix of uses. These areas provide opportunities for land uses that may have difficulty locating in commercial or residential areas due to neighborhood concerns, land use compatibility, scale of operation or other similar issues.

The addition of the Mixed Industrial Overlay on the 15.5-acre site would be compatible with the surrounding uses. The nearby area already contains a mix of land uses, including business parks, a golf course, and commercial centers. Residential uses are also in close proximity; the Berryessa Planned

Residential Community is located to the east. The general area has seen a change in character with several General Plan changes to facilitate non-industrial uses. In 1995, the Mixed Industrial Overlay designation was applied to a site located at the southeast corner of Old Oakland and Brokaw Roads. Additionally, a commercial shopping center (North Park Plaza) and multi-family residential uses were recently built at the northeast corner of Oakland and Brokaw Roads. These commercial and residential uses were established through a series of General Plan amendments in the late 1980s/early 1990s that changed the land use designations from Industrial Park to General Commercial and Medium High Density Residential (12-25 DU/AC). The site is not located in an area established exclusively for industrial uses. The proposed land use change would be consistent with the existing character of the area.

Policy Consistency

The proposed Mixed Industrial Overlay would be consistent with several General Plan Major Strategies and Goals and Policies, including the Economic Development Major Strategy and the Industrial Land Use Policies. The Economic Development Major Strategy strives to maximize the City's land resources. Maintaining an industrial land supply is key to having a strong economic base. The proposed land use change would not limit industrial development on the site, but rather create greater flexibility to meet the City's economic development goals by allowing additional compatible non-industrial uses.

The Industrial Land Use Goal is to provide sufficient land for a variety of industrial uses. Economic Development Policy No. 4 states that the City should actively promote economic development through the provision of areas for exclusive and mixed industrial uses. The proposed Mixed Industrial Overlay serves as a mechanism to help facilitate economic development opportunities within the City and is consistent with these General Plan goals and policies. San Jose has been proactive in preserving its industrial land supply, including the removal of the Mixed Industrial Overlay on certain properties to protect the industrial lands exclusively for industrial uses. However, the addition of the Mixed Industrial Overlay at the subject site would not contradict previous and current efforts. The City realizes the need for a variety of industrial uses and part of that, is identifying areas where mixed industrial uses are appropriate. The subject site is already located within an area with a mix of uses and the proposed amendment would provide greater opportunity for industrial, compatible non-industrial, or a combination of both types of uses.

Environmental Issues

The proposed addition of the overlay designation on the subject site was analyzed in an initial study that resulted in a Mitigated Negative Declaration. The initial study determined that the change in land use would create a less than significant impact to certain environmental considerations or less than significant impact with mitigation measures to other factors. The Mitigated Negative Declaration was adopted on October 20, 2003. All of the mitigation measures consist of the implementation of existing General Plan policies at the zoning and development permit stages.

PUBLIC OUTREACH

The property owners within the amendment site boundaries and/or property owners within a 1000-foot radius of the amendment site were sent a newsletter regarding the two community meetings that were held on October 14th and 15th, 2003 to discuss the proposed General Plan amendment. They also received a

public hearing notice regarding the public hearings to be held on the subject amendment before the Planning Commission in November and City Council in December. In addition, the community can be kept informed about the status of amendments on the Department's web-site, which contains information on the General Plan process, each proposed amendment, staff reports, and hearing schedule. One community member stated that commercial uses on the subject site would be an improvement to the area and support the industrial uses.

RECOMMENDATION

Planning staff recommends the addition of the Mixed Industrial Overlay.